

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

IN RE:

Debra R. Brenno,

DEBTOR

CHAPTER 13
CASE NO. 12-60133

MOTION FOR PLAN
MODIFICATION OF CHAPTER 13
PLAN

Debra R. Brenno, the Debtor, by and through her attorneys, Lekki Hill Duprey & Bhatt, P.C., Neil T. Bhatt, Esq., of counsel, respectfully represents as follows in support of her Motion for Plan Modification of Chapter 13 pursuant to 11 U.S.C. §1329(a) and Local Rule 3015-4:

1. The Debtor and her then spouse, Harold W. Brenno, filed a voluntary petition pursuant to Chapter 13 of the United States Bankruptcy Code on 02/02/2012.
2. The Debtors entered into a plan to pay the sum of \$830.00 per month for 60 months.
3. The Debtors' plan was confirmed by Order of the Bankruptcy Court dated 05/02/12.
4. Although this was an over median case Debtors have had significant changes in circumstances. During the bankruptcy, Debtors' marriage irretrievably broke down and they obtained a No-Fault divorce. Debtor, Harold W. Brenno, became permanently disabled, is unable to work and his only income now is Social Security Disability.
5. An Order severing Harold W. Brenno's case from Debra R. Brenno's Case was granted and filed on 07/14/15.
6. Debtor Harold W. Brenno converted his case to Chapter 7 on 07/22/15.
7. The Debtor, Debra R. Brenno, proposes to modify the plan to waive the arrears, reduce the monthly payment to \$275 per month, reduce the dividend to unsecured to 1% and continue to pay the secured claim to Santander Consumer USA, Inc. for the 2008 Buick for the

remainder of her plan. Debtor also proposes that only her debts be paid in her ongoing Chapter 13 as Debtor Harold W. Brenno's remaining debts will be discharged in his converted Chapter 7 case.

8. The Debtor believes that the modification of the plan as proposed is in the best interest of this estate.

WHEREFORE, on the basis of the foregoing, it is respectfully requested that this Court issue an Order approving the Motion to Modify the Chapter 13 Plan, and granting such other and further relief as this Court deems just and proper.

Date:

12 Aug 2015



Lekki Hill Duprey & Bhatt, P.C.

Neil T. Bhatt, Esq.

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